

more City to have a poll including 90 per cent of the attorneys who seldom if ever get to court, and in Harford County a poll including 50 per cent who seldom if ever get to court. I think it is a very dubious device, and if it should exist at all, should be placed there by rule or statute and not in the Constitution.

THE CHAIRMAN: Does any other delegate desire to speak in opposition? Delegate Willoner.

DELEGATE WILLONER: I speak in opposition to the motion, and I am sorry I have to, because this is something we have taken up and should have disposed of before.

Mr. Bamberger has indicated that the bar is not informed enough to vote on this method. If the bar is not informed, certainly the public is not informed, and it seems to me that the motion, really one of the key parts of this whole provision has been the section that gave the voters some information about the kind of man they select.

As it is, it seems to me without this we might as well appoint for life, because this is the key, this seems to be the key, the only way the voters can have any idea of what the bench is composed of.

It is true that some lawyers do not practice law in the courts all the time, but they are familiar because they deal with lawyers and the reputation of the judges does get around, and this is such an important issue. Article III of the federal Constitution is one of the shortest. It is the shortest major article of the Constitution. We have here what will be apparently the longest provision.

I say it is essentially statutory, the whole provision. We could probably say there shall be such courts as established by law and leave it there, but it seems to me we have taken this approach, and when we do take this approach, we must take an approach in all the areas. I challenge this body that unless they do this, this is essentially an appointment for life, and you cannot get lawyers to stand up and speak against a sitting judge as long as they practice law before that judge. Therefore at the present time our present system, which I find distasteful, is so because the voters do not have any say in their judges; because nobody will get up and talk against their judges if they happen to be a bad judge, because they are afraid. This would be one way to avoid the problem. It seems to me a very useful way and would only

work this way, and I strongly support this, or rather oppose the adoption of this amendment.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment? Delegate Mitchell.

DELEGATE MITCHELL: Mr. President, just one final word, and that is I see in this provision further control of the direction of the people's vote, and I think essentially here again is the question of whether the people are competent and interested enough to choose their own judicial leaders without the control and the direction of the lawyers or the judges. I think that in the administration of justice, the people are the heart of it, and I think after we have gone through the screening process of the nominating commission, after we have gone through the present checks and controls to insure high quality judges, and after they have served two years, I think the people in the district and the people of the State are in the best position, without control, to make this decision.

THE CHAIRMAN: Any other delegate desire to speak in opposition to the amendment? Delegate Cicone.

DELEGATE CICONE: Mr. Chairman, ladies and gentlemen, I am the wife of a lawyer, and I manage his law office, and there has not been an election where a judge has come up for reelection that clients have not called and asked the opinion of my husband about a judge, and of me, because when you work in a law office, whether you are a secretary or not, you know all the lawyers' help, too.

I submit to you that if this happens with clients, what of the many people who have no contact with an attorney?

This would be the only method by which they could gauge their opinion, if there was a poll taken of the attorneys and published for all of those who may never go into court and for those who may never consult an attorney.

Now, as far as attorneys, I have listened here all day after how timid they are. I have had no experience in that manner, I can assure you.

I strongly suggest that you defeat this amendment.

THE CHAIRMAN: Is there any further discussion?

*(There was no response.)*